

ORIGINAL

BEFORE THE

Illinois Commerce Commission

DOCKET NO. 00-0023

IN THE MATTER OF:

GTE NORTH INCORPORATED,
GTE SOUTH INCORPORATED, and
BLUESTAR COMMUNICATIONS, INC.

CHIEF CLERK'S OFFICE

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ILLINOIS
COMMERCE COMMISSION

PLACE: Springfield, Illinois

DATE: January 27, 2000

PAGES: 1 - 11

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OFFICIAL REPORTERS

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BEFORE THE
ILLINOIS COMMERCE COMMISSION

GTE NORTH INCORPORATED,) DOCKET NO.
GTE SOUTH INCORPORATED, and) 00-0023
BLUESTAR COMMUNICATIONS, INC.)

Joint Petition of GTE North)
Incorporated, GTE South Incorporated,)
and BlueStar Communications, Inc. for)
Adoption Pursuant to 47 U.S.C. Section)
252(i) Regarding Adoption of an)
Interconnection Agreement.)

Springfield, Illinois
January 27, 2000

Met, pursuant to notice, at 10:40 A.M.

BEFORE:

MR. JOHN ALBERS, Examiner

APPEARANCES:

MR. DOUGLAS DZIAK
Hunton & Williams
1900 K Street, N.W.
Washington, D.C. 20006-1109

(Appearing on behalf of GTE North
Incorporated and GTE South Incorporated
via teleconference)

SULLIVAN REPORTING COMPANY, by
Cheryl A. Davis, Reporter, #084-001662

1 APPEARANCES: (Cont'd)

2 MR. MICHAEL BRESSMAN
3 Associate General Counsel
4 401 Church Street
5 24th Floor
6 Nashville, Tennessee 37219

7 (Appearing on behalf of BlueStar
8 Communications, Inc. via teleconference)

9 MR. MATTHEW L. HARVEY
10 160 North La Salle Street
11 Suite C-800
12 Chicago, Illinois 60601

13 (Appearing on behalf of the Staff of the
14 Illinois Commerce Commission via
15 teleconference)

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I N D E XWITNESSESDIRECT CROSS REDIRECT RECROSS

A. OLUSANJO OMONIYI
By Mr. Harvey

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EXHIBITSMARKEDADMITTED

Staff 1

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PROCEEDINGS

(Whereupon prior to the hearing Staff Exhibit 1 was marked for identification by the Court Reporter.)

EXAMINER ALBERS: By the authority vested in me by the Illinois Commerce Commission, I now call Docket Number 00-0023. This docket concerns the Joint Petition filed by GTE North, GTE South, and BlueStar Communications Incorporated. The Joint Petition seeks approval of BlueStar's adoption of the terms of an existing interconnection agreement.

May I have the appearances for the record, please.

MR. HARVEY: For the Staff of the Commerce Commission, Matthew L. Harvey, H-A-R-V-E-Y, 160 North La Salle Street, Suite C-800, Chicago, Illinois 60601.

MR. BRESSMAN: For BlueStar, Michael Bressman, B-R-E-S-S-M-A-N, Associate General Counsel, address 401 Church Street, 24th Floor, Nashville, Tennessee 37219.

1 MR. DZIAK: And for GTE North and GTE South
2 Incorporated, collectively GTE, Douglas Dziak of
3 Hunton & Williams, 1900 K Street, N.W., Washington,
4 D.C. 20006.

5 EXAMINER, ALBERS: Thank you.

6 Let the record reflect there are no others
7 wishing to enter an appearance.

8 Are there any preliminary matters this
9 morning?

10 MR. BRESSMAN: This is Mr. Bressman.

11 BlueStar would like to move to amend the
12 petition to reflect that the party of the
13 interconnection agreement is BlueStar Network, Inc.,
14 not BlueStar Communications, Inc. The reason for
15 this amendment is that BlueStar Network, Inc. is the
16 certificated entity in the State of Illinois.

17 EXAMINER ALBERS: Is there any objection?

18 MR. HARVEY: None, Mr. Examiner, provided that
19 the contracts ultimately filed with the Commission
20 pursuant to the recommendations of Staff reflect the
21 proper parties that are parties to the contract.

22 EXAMINER ALBERS: And, Mr. Bressman, is it your

1 intention to file, well, and GTE as well, that the
2 agreement ultimately filed with the Commission will
3 reflect **BlueStar** Networks, Inc.?

4 MR. BRESSMAN: **BlueStar** will do that.

5 EXAMINER ALBERS: Okay. And your motion today
6 includes the Joint Petition as well as any other
7 documentation filed today?

8 MR. BRESSMAN: Yes.

9 EXAMINER ALBERS: Or for this hearing today I
10 should say.

11 MR. BRESSMAN: Yes.

12 EXAMINER ALBERS: Okay.

13 If there's no objection to that motion, it
14 is granted. The Joint Petition should read **BlueStar**
15 Networks, Incorporated and as well as any other
16 documents filed with the Joint Petition, and the
17 agreement ultimately filed with the Commission should
18 also read **BlueStar** Networks, Incorporated.

19 Are there any other preliminary matters?

20 MR. HARVEY: None from Staff, Mr. Examiner.

21 EXAMINER ALBERS: Okay.

22 Moving along then, do either of the Joint

1 petitioners seek to admit any other documentation
2 today?

3 MR. DZIAK: GTE does not, Mr. Hearing Examiner.

4 MR. BRESSMAN: **BlueStar** does not either,

5 Mr. Hearing Examiner.

6 EXAMINER ALBERS: Okay.

7 Well, I received the Verified Statement of
8 Mr. Sanjo Omoniyi which contains --

9 MR. HARVEY: Your Honor, the Staff would ask
10 that Mr. Omoniyi be sworn in for the purpose of
11 introducing the Verified Statement into the record.

12 EXAMINER ALBERS: Very well. Sir, could you
13 please stand and raise your right hand.

14 (Whereupon the witness was
15 sworn by Examiner **Albers.**)

16 EXAMINER ALBERS: Thank you.

17 Go ahead, Mr. Harvey.

10 MR. HARVEY: Can you hear me, Mr. Omoniyi?

19 MR. OMONIYI: Yes.

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1 A. OLUSANJO OMONIYI
2 called as a witness on behalf of the Staff of the
3 Illinois Commerce Commission, having been first duly
4 sworn, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. HARVEY:

7 Q. Mr. Omoniyi, do you have before you a
8 document that bears the caption GTE North, GTE South,
9 and **BlueStar** Communications, Inc., Illinois Commerce
10 Commission Docket Number 00-0023?

11 THE WITNESS:

12 A. Yes.

13 Q. And does that contain five pages of text?
14 Is that a five-page document?

15 A. Yes.

16 Q. And was this document prepared by you or
17 at your direction?

18 A. Yes.

19 Q. Okay. Does this document contain your
20 recommendation relating to the interconnection
21 agreement at issue in this matter?

22 A. Yes.

1 Q. Were you able to hear me, Mr. Omoniyi?

2 A. Yes. Yes, it does.

3 Q. Okay. If I were to ask you questions that
4 would elicit the statements contained in this
5 Verified Statement, would the answers that you gave
6 be the **same** as when you prepared **it**?

7 A. **Yes.**

8 Q. Do you have any corrections or amendments
9 or other editorial changes to make to the Verified
10 Statement?

11 A. Yes, I do. If you turn to page 4 of the
12 Verified Statement captioned Implementation, the last
13 sentence in there, ICC No. 21, Section 19.15 should
14 be changed to ICC No. 10, Section 18.

15 Q. And so the whole sentence would read: "**The**
16 following sections of GTE tariffs should reference
17 the **GTE-BlueStar** agreement: Agreement with
18 Telecommunications Carriers (ICC No. 10, Section
19 18) ." Is that correct?

20 A. Correct.

21 Q. Okay. Is that the only correction or
22 editorial change that **you have to the Verified**

1 Statement?

2 A. Yes.

3 MR. HARVEY: I would move at this point for the
4 admission into evidence as Staff Exhibit Number 1 the
5 Verified Statement of A. Olusanjo Omoniyi subject to
6 any cross-examination the other parties might have
7 for Mr. Omoniyi.

8 EXAMINER ALBERS: Any objection?

9 MR. DZIAK: None from GTE, Mr. Hearing Examiner.

10 MR. BRESSMAN: None from **BlueStar**.

11 EXAMINER ALBERS: If there's none, then Staff
12 Exhibit 1 is admitted.

13 (Whereupon Staff Exhibit 1
14 was received into evidence.)

15 Do either of the Joint Petitioners have any
16 questions for Mr. Omoniyi?

17 MR. BRESSMAN: **BlueStar** does not.

18 MR. DZIAK: GTE does not.

19 EXAMINER ALBERS: Okay. Well, thank you, sir.

20 (Witness excused.)

21 In that case, do the Joint Petitioners
22 accept the recommendations in Staff's verified

1 statement?

2 MR. DZIAK: GTE does, Mr. Hearing Examiner.

3 MR. BRESSMAN: **BlueStar** does as well,

4 Mr. Hearing Examiner.

5 EXAMINER ALBERS: Okay.

6 And does anyone have anything else they'd
7 like to add today?

8 MR. HARVEY: Nothing from Staff.

9 MR. DZIAK: Nothing from GTE.

10 MR. BRESSMAN: Nothing from **BlueStar**.

11 EXAMINER ALBERS: All right. If there's nothing
12 further, then I'll mark the record Heard and Taken.

13 MR. HARVEY: Thank you very much, Mr. Hearing
14 Examiner

15 HEARD AND TAKEN

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1 STATE OF ILLINOIS)
2) SS
3 COUNTY OF SANGAMON)

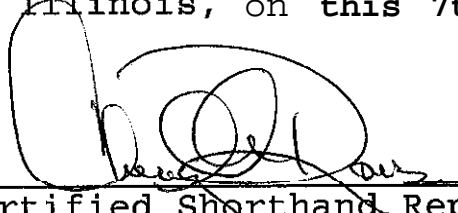
4 CASE NO.: 00-0023

5 TITLE: GTE NORTH INCORPORATED,
6 GTE SOUTH INCORPORATED, and
7 BLUESTAR COMMUNICATIONS, INC.
8

9 CERTIFICATE OF REPORTER

10 I, Cheryl A. Davis, do hereby certify that I am
11 a court reporter contracted by Sullivan Reporting
12 Company of Chicago, Illinois; that I reported in
13 shorthand the evidence taken and proceedings had on
14 the hearing on the above-entitled case on the 27th
15 day of January, 2000; that the foregoing 11 pages are
16 a true and correct transcript of my shorthand notes
17 so taken as aforesaid and contain all of the
18 proceedings directed by the Commission or other
19 persons authorized by it to conduct the said hearing
20 to be so stenographically reported.

21 Dated at Springfield, Illinois, on this 7th day
22 of February, A.D., 2000.


Certified Shorthand Reporter
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